

Dispute Review Board (DRB) Candidate Solicitation

Idaho Transportation Department



This form is designed to be filled out electronically. Fill in the shaded areas by using the Tab or arrow keys to move from field to field. Please email the completed form to John Gates, ITD Claims Engineer at: john.gates@itd.state.id.us. Do not include any other attachments to this form.

Candidate Information

Name Paul W. Masten, PE			Date 11/30/06
Address 6909 185 th St. SW	City Lynnwood	State WA	Zip Code 98037-4133
Phone Number Tel: 425-771-3271 Fax: 425-672-8896 Cell: 425-478-1827		Email Address paul-blueridge@comcast.net	

Education

University/College	Degree	Year Graduated
University of Vermont	BS Civil Engineering	1974
Illinois Institute of Technology	N/A - Graduate studies in transportation 1977-81	

Professional Licenses/Certifications

1. Idaho PE: 10769 - 2002; Expires 9/30/2007	2. Washington PE: 21739 - 1984; Expires 09/07/2007
3. Illinois PE: 062-037293; Expires 11/30/2007	4. Alaska PE: CE 7148 - 1986; Expires 12/31/2007

Major Employment History

Employer	Number of Years Employed	Your Job Title(s)
1. BlueRidge Associates, Lynnwood, WA	3	Principal
2. Reid Middleton, Inc., Everett, WA	20	Chairman/Exec VP; Dir Gen'l Engrg; Princ. Trans. Engr
3. Envirodyne Engineers, Inc., Chicago, IL	1	Senior Civil Engineer
4. Barton-Aschman Associates, Inc. - IL	8	Senior Associate/Associate

Experience and General Information: (Continued on next page)

<p>1. Describe your major areas of work experience/expertise</p> <p>32 years of transportation engineering experience from designer to corporate management. Project manager or principal for more than 100 transportation, site civil and military projects throughout the Puget Sound region. Designer or project manager for street and highway projects in Washington, Illinois, Michigan, Kentucky, Texas and Vermont. Expertise in project management, design reports, NEPA documentation and PS&E for rural/urban roads & streets, freeways and structures on new & existing alignments. Major projects in the past 10 years include California Street Overcrossing, Everett, WA. (\$11 million); I-5/196th Street Interchange Westside Improvements, Lynnwood, WA (\$18 million); SR 9 - SR 522/Clearview (4 mi., \$25 million) Woodinville, WA for WSDOT; 4 Indefinite Quantity Civil/Structural Contracts for US Navy EFANW (\$60 million+ w/multiple delivery orders.)</p>
<p>2. Describe your experience with construction claims</p> <p>I provide DRB and expert witness services for transportation and general civil engineering projects. Current DRB assignments are detailed in Section 6. Recent expert witness engagements have included standard-of-care claims related to complex utility and site civil projects as well as review of damage claims arising from fire damage to a WSDOT freeway structure in Lynnwood, WA.</p> <p>As co-Managing Principal at Reid Middleton, Inc., I routinely represented the firm's interest in resolution of complex issues arising out of construction claims and client service issues. I have assisted in owner-contractor negotiations of disputes during and after construction, and served as lead negotiator resolving formal claims by contractors and owners against the firm.</p>
<p>3. Describe your knowledge of construction contract law</p> <p>Throughout my career I have been routinely and intimately involved in preparation and review of construction contract documents, including the integration of technical specifications and special provisions with standard federal, state and local owner-furnished contract materials.</p> <p>I have participated in numerous seminars and short courses on contract document preparation; insurance and risk management; and contract review. In the past 2 years, I have participated in 3 continuing legal education seminars focused specifically on construction contract law: Managing Construction Projects and Claims; Construction Delay Claims in Washington State; and Analyzing and Proving Construction Contract Project Damages in Washington.</p>

4. Describe your experience with construction contract administration

Throughout my career I have had responsibility for support to owners throughout the construction process. Involvement has varied from intermittent to supervision of full time resident engineers and field personnel, depending on owner capabilities and policies. I have a working knowledge of the submittal and documentation requirements imposed by state and FHWA policies and procedures; of the construction payment process; and the change order documentation process. I understand clearly the need for formal processes to ensure adherence to contract specifications and requirements, as well as the regulatory and permit requirements imposed by other agencies.

5. Describe your construction field experience

My construction field experience began as a survey technician for the Vermont Highway Department in 1966, working on a portion of I-89 initial construction. I spent two additional summers working full time as an instrument man and survey tech for the VHD and private contractors supporting highway construction projects. Throughout my consulting career I have routinely provided office support and periodic field support during construction, and on many occasions had management responsibility for part-time or full-time field support personnel.

During 1989 I was project manager for a fast-track, multi-million \$ site and roadway improvement project for the Boeing Company, providing weekly on-site management and supervising near full time field personnel.

6. Describe your DRB (or arbitration) training, certification, and experience

DRB Administration and Practice Workshop & DRB Chairing Workshop; DRB Foundation, Orlando, FL November 2004; Practice & Procedures Proficiency Update Training, DRBF, 2006

Mediator Training, Alhadeff Mediation Services, Seattle, WA March 2004; Mediation in the Construction Industry, DPIC, 2000

Current DRB Assignments: Contractor Designee, WSDOT SR 9-SR 522 to 212th St. SE (\$18million); Owner Designee, Skagit County WA Helmick Road (\$3.8 million); WSDOT Agreement Y-8934, Dispute Review Board State Member; DRB Member for Joint Utility Contractors Assoc of WA/Underground Utility Locate Center standing Board.

7. Describe your retirement status and availability to serve on a DRB

I am currently Principal and sole employee of BlueRidge Associates, offering services in: dispute resolution, including mediation and service as DRB member; forensic engineering/litigation support/expert witness services; peer review/plan review/consultant management project oversight; and transportation/civil project development. I am available and fully prepared to work full time, and have adequate availability to serve on one or more DRB's at any time.

8. Please estimate the percentage of your total current income that is derived from Project Owners and from Contractors and Suppliers. (Note: Retirement income and DRB income should be included in total current income but should not be categorized as income from Project Owners or Contractors and Suppliers.)

From Project Owners 0 % of total current income

From Contractors and Suppliers 0 % of total current income

DRB Compensation

DRB members are compensated at the rate of \$125 per hour (\$1,000 per day maximum) for pre-authorized time spent on-site, at hearings, at meetings, in teleconferences, or reviewing the dispute. Travel time is compensated at the rate of \$50.00 per hour (\$200 maximum each way.) Travel expenses are reimbursed at Idaho state rates.

Is this compensation package acceptable? ☒ Yes ☐ No

List 2 References For Your Experience With Construction Claims

Name	Title	Organization	Phone Number	Email Address
Terence J. Scanlan, Esq.	Attorney	Skellenger Bender, P.S.	206-623-6501	tscanlan@skellengerbender.com
Kenneth G. Yalowitz, Esq.	Attorney	Green & Yalowitz, PLLC	206-622-1400	kgy@GYSeattle.com